

P/2613-41
(AUT/008)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Lax et al.
Application No. : 09/858,457 Confirmation No. : 1750
Filed : May 16, 2001
For : CASE WITH INTERNAL LOCK
Examiner : Lloyd A. Gall
Group Art Unit : 3676

New York, New York 10020
May 24, 2005

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

PETITION FOR WITHDRAWAL FROM ISSUE
UNDER 37 C.F.R. § 1.313(c)(2)

Sir:

The above-identified patent application was allowed on April 19, 2005 and applicants paid issue and publication fees on April 26, 2005. Applicants have since become aware of a reference that applicants desire to disclose to the Patent and Trademark Office in connection with the application before the issue of an expected patent based on the application. Therefore, under 37 C.F.R. § 1.313(c)(2), applicants hereby petition the Commissioner to withdraw the above-identified patent application from issue to prevent the patent from issuing at this time and to permit consideration of the reference.

Applicants respectfully note that 37 C.F.R. § 1.313 states in relevant part that:

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(c) Once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except:

* * *

(2) Consideration of a request for continued examination in compliance with § 1.114[.]

In satisfaction of 37 C.F.R. § 1.313(c)(2), applicants are filing concurrently herewith a Request for Continued Examination of this application under 37 C.F.R. § 1.114, along with a Ninth Supplemental Information Disclosure Statement that brings the reference to the attention of the Patent and Trademark Office.

The Director is hereby authorized to charge the amount of \$130.00, in payment of the fee set forth in 37 C.F.R. § 1.17(h) for consideration of this Petition, and any additional fees that may be required in connection with this Petition, or any of the papers filed herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075, Order No. 000879-0008. A duplicate copy of this petition is enclosed.

Applicants respectfully submit that the requirements of 37 C.F.R. §1.313(c)(2) are satisfied and that this Petition is grantable. Applicants respectfully request

that the Commissioner grant this Petition in time to prevent the expected issuance of a patent on this application.

Respectfully submitted,

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